

Notice of Public Hearing
LSA Document #11-386**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on March 6, 2012, at 10:15 a.m., at the Indiana Government Center South, 302 West Washington Street, Conference Center Room 4, Indianapolis, Indiana, the Indiana Optometry Board will hold a public hearing to add [852 IAC 1-1.1-2.5](#) to establish the requirements concerning the applications and fees for issuance or renewal of an optometry license and optometric legend drug certificate, amend [852 IAC 1-1.1-4](#) concerning the requirements for an optometry license, amend [852 IAC 1-1.1-5](#) concerning the acceptance of a current certificate issued by the Association of Regulatory Boards (ARBO), Council on Endorsed Licensure Mobility for Optometrists (CELMO), in lieu of an official transcript, amend [852 IAC 1-2.1-2](#) concerning the requirements for licensure by endorsement, amend [852 IAC 1-2.1-4](#) concerning the jurisprudence examination covering Indiana law, add [852 IAC 1-2.1-6](#) to establish requirements for an optometric legend drug certificate, amend [852 IAC 1-3-1](#) to delete the term of "grossly incompetent", amend [852 IAC 1-5.1-1](#) to add that an optometrist has the responsibility to determine the expiration of a prescription for contact lenses, amend [852 IAC 1-8-1](#) to add definitions for the terms of "agency" and "COPE", amend [852 IAC 1-10-1](#) to add fees for the application and renewal of an optometric legend drug certificate, amend [852 IAC 1-10-2](#) concerning support fees to Indiana University for active and inactive licensees, amend [852 IAC 1-11-1](#) to modify the term of "optometric diagnosis" to "diagnosis" and add language regarding the administration of diagnostic and therapeutic pharmaceutical agents by injection, amend [852 IAC 1-15-1](#) to correct the spelling of the term "hygienic", amend [852 IAC 1-15-3](#) to add "governmental agency" as an entity with which an optometrist may contract to provide independent optometric services, amend [852 IAC 1-16-1](#) regarding continuing education requirements to renew an optometry license, add [852 IAC 1-16-1.1](#) to establish continuing education requirements for renewal of an optometric legend drug certificate, amend [852 IAC 1-16-2](#) regarding the licensee's responsibility to certify completion of continuing education to renew their optometry license and optometric legend drug certificate, amend [852 IAC 1-16-3](#) regarding the requirements for approval of continuing education sponsor, amend [852 IAC 1-16-4](#) regarding the standards for the approval of optometry continuing education, add [852 IAC 1-16-4.1](#) to establish the standards for the approval of optometric legend drug continuing education, amend [852 IAC 1-16-5](#) regarding the penalty for noncompliance of a licensee who fails to comply with [852 IAC 1-16-1](#), add [852 IAC 1-16-6.5](#) to establish continuing education credit for optometrists who are speakers at continuing education programs, amend [852 IAC 1-16-7](#) concerning the number of continuing education hours granted for self-study per renewal period, amend [852 IAC 1-16-8](#) to add additional sponsors of continuing education programs deemed approved, amend [852 IAC 1-17-1](#) regarding the requirements for a limited license, amend [852 IAC 1-17-2](#) concerning the jurisprudence examination covering Indiana law for a limited license, amend [852 IAC 1-17-3](#) regarding the required number of continuing education hours to renew a limited license, amend [852 IAC 3-3-1](#) regarding the formulary of legend drugs, and repeal [852 IAC 1-8-5.1](#), [852 IAC 1-16-6](#), [852 IAC 2](#), [852 IAC 3-1](#), [852 IAC 3-2](#), and [852 IAC 3-3-2](#).

The Indiana Optometry Board has the authority to promulgate rules in accordance with [IC 4-22-2](#). The Board also has the authority to adopt rules under [IC 25-24-1-1\(b\)](#), [IC 25-24-1-1\(c\)](#), [IC 25-24-2-2\(e\)](#), and [IC 25-24-3-10](#), which explicitly states the Board shall adopt rules not inconsistent with this chapter, governing applicants and applications for license under this chapter, and establish standards for the competent practice of optometry, establish a formulary of legend drugs that may be prescribed, dispensed, or administered by an optometrist, and establish education and training requirements in ocular pharmacology required for certification and continuing education requirements. This rule will have no fiscal impact on small businesses or impose any cost to the public or state or local government.

Copies of these rules are now on file at the Indiana Government Center South, 402 West Washington Street, Room W072 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Frances L. Kelly
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